

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

LUZ GARCIA-ACOSTA,

Plaintiff(s),

v.

THE TJX COMPANIES, INC.,

Defendant(s).

Case No. 2:24-cv-00427-NJK

**Order To Show Cause**

Defendant removed this case on diversity jurisdiction grounds. Docket No. 1. The complaint on its face does not show that more than \$75,000 is in controversy, but Defendant notes that Plaintiff has identified \$24,328.87 in medical specials, *see* Docket No. 1-4 at 5, and made a settlement demand of \$125,000, *see* Docket No. 1-5 at 1. It is not clear that these circumstances suffice to demonstrate that the amount in controversy exceeds \$75,000. *See, e.g., Randolph v. Albertsons LLC*, 2020 WL 7055894, at \*2 (D. Nev. Dec. 2, 2020) (case involving \$32,811.24 in medical costs and a settlement demand of \$164,800); *Guerrero v. Panda Express, Inc.*, 2019 WL 1933751, at \*2 (D. Nev. May 1, 2019) (case involving \$17,651.92 in medical costs and a settlement demand of \$100,000); *Cayer v. Vons Cos.*, 2017 WL 3115294, at \*3-4 (D. Nev. July 21, 2017) (case involving \$40,054.76 in actual damages and a settlement demand of \$1,000,000); *Hanshew v. Blazin Wings, Inc.*, 2016 WL 7489043, at \*2 (D. Nev. Dec. 30, 2016) (case involving \$41,537.41 in medical costs and lost wages, and a settlement demand of \$325,000).

Accordingly, Defendant is hereby **ORDERED** to show cause in writing, no later than April 10, 2024, why this case should not be remanded for lack of subject matter jurisdiction. Plaintiff must file a response by April 24, 2024. Defendant may file a reply by May 1, 2024.

IT IS SO ORDERED.

Dated: March 27, 2024

  
Nancy J. Koppe  
United States Magistrate Judge